



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450  
www.uspto.gov

KEVIN D. MCCARTHY  
ROACH BROWN MCCARTHY & GRUBER P.C.  
420 MAIN STREET - 1620 LIBERTY BUILDING  
BUFFALO, NY 14202

COPY MAILED

APR 06 2006

OFFICE OF PETITIONS

In re Application of :  
Adam Tartar Richardson et al :  
Application No. 10/672,169 : ON PETITION  
Filed: September 26, 2003 :  
Attorney Docket No. 0-02-141.01 :

This is a decision on the petition under 37 CFR 1.137(b), filed January 23, 2006, to revive the above-identified application.

The petition is **GRANTED**.

The above-identified application became abandoned for failure to reply in a timely manner to the non-final Office action mailed June 10, 2005 which set a shortened statutory period for reply of three (3) months. No extensions of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, the above-identified application became abandoned on September 11, 2005.

The instant petition satisfies the conditions for revival pursuant to the provisions of 37 CFR 1.137(b) in that (1) the reply in the form of an amendment filed December 13, 2005; (2) the petition fee; and (3) the required statement of unintentionally delay have been received. Accordingly, the reply to the non-final Office action of June 10, 2005 is accepted as having been unintentionally delayed.

This matter will be referred to Technology Center AU 3752.

Telephone inquiries concerning this decision should be directed to Wan Laymon at (571) 272-3220.

  
Wan Laymon

Petitions Examiner  
Office of Petitions